

REGULAR MEETING
AGENDA

Wednesday, September 22, 2004 7:45 P.M.
Public Meeting Room 119
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

CONTINUATION OF PUBLIC HEARING

Opened on July 28, 2004 and continued (with verbal authorization of the applicant) to tonight, September 22, 2004. The applicant has provided written authorization allowing the ZBA to continue this hearing to September 29, 2004 if necessary. The seated ZBA members for this request are Dick Sanford, Al Tibbetts, Gary Greene and Jeff Williams. Vic Capellupo has reviewed the application materials, the tape recording of the July 28th segment of the hearing, and the submitted documents in order to be fully informed of this request. If the ZBA determines to continue this hearing further the applicant would have to provide an additional extension (up to 100 total days) allowing the ZBA to continue this hearing until November 5, 2004. The regular October meeting is scheduled for October 20, 2004.

CALENDAR NO. 56-2004

The application of Gleason, Hill & Ambrette, LLC on behalf of Robert R. & Elizabeth H. Cole, filed on June 23, 2004 for a determination and, if necessary, a variance of Section 210 of the Darien Zoning Regulations to allow a 25 foot accessway from Talmadge Hill Road in New Canaan to serve a proposed building lot in Darien. The subject property is located on the south side of Talmadge Hill Road in New Canaan and on the west side of Hollow Tree Ridge Road in Darien, with its current accessway located approximately 200 feet south of the intersection of Talmadge Hill Road and Hollow Tree Ridge Road, and is shown on Tax Assessor's Map #3 as Lot #81, being 865 Hollow Tree Ridge Road, and located in the R-2 (residential) Zone.

PUBLIC HEARINGS

CALENDAR NO. 58-2004

The application of Robert J. Correa filed on June 23, 2004 for a variation of Section 672 of the Darien Zoning Regulations to allow a commercial sales and service (retail) use without external storage or activity. The subject property is situated on the north side of Boston Post Road at the northwest corner formed by the intersection of Boston Post Road and Richmond Drive, and is shown on Tax Assessor's Map #13 as Lot #6, being 205 Boston Post Road and located in an SB-E (commercial) Zone.

CALENDAR NO. 62-2004

The application of Daniel McNulty filed on June 23, 2004 for variations of Section 406 of the Darien Zoning Regulations to allow the construction of a second story addition. Section 406: 48.4 in lieu of 50.0 feet minimum required front yard setback and 23.6 in lieu of 35.0 feet minimum required side yard setback. The property is situated on the east side of Woodley Road at the southeast corner formed by the intersection of Woodley Road and Ridge Acres Road, and is shown on Tax Assessor's Map #4 as Lot #59, being 6 Woodley Road and located in an R-2 (residential) Zone.

CALENDAR NO. 64-2004

The application of Robert F. Maslan, Jr. Esq. on behalf of Denis Manelski and Jennifer Manelski filed on August 25, 2004 for interpretations of Sections 210, 371 and 385; and variations of Sections 334, 406, 825, and 906.3a of the Darien Zoning Regulations to allow the construction of a two and one-half story replacement residence with a rooftop cupola, one story porches, and an attached one and three quarter story garage. Section 210: an interpretation that the east and west property lines are side lot lines; Section 371: an interpretation that the proposed 7.5' octagonal by 7.5' high roof structure (cupola) is an acceptable architectural feature exempt from the height regulations; Section 385: a determination that the subject lot is a legal nonconforming building lot with 39,640 in lieu of 43,560 square feet minimum required lot size; Section 334: construction on a portion of the lot with 114.9 in lieu of 150.0 feet minimum required lot width; Section 406: 28.8 in lieu of 40.0 feet minimum required west rear yard setback for the

replacement residence; 25.1 in lieu of 40.0 feet minimum required west rear yard setback for the replacement garage; 27.1 in lieu of 40.0 feet minimum required east rear yard setback for the replacement residence; 25.0 in lieu of 40.0 feet minimum required east rear yard setback for the porches; Section 825: maintenance of existing basement storage space at 5.9 in lieu of 13.0 feet minimum required floor elevation; and Section 906.3a: the development of required off-street parking within required yard spaces. The property is situated on the south side of Pratt Island approximately 1,150 feet southeast of the intersection of Nearwater Lane and Baywater Drive and is shown on Tax Assessor's Map #55 as Lots #121 and 122, being 11 Pratt Island and located in an R-1 (residential) Zone.

CALENDAR NO. 65-2004

The application of William W. Seymour & Assoc. on behalf of Shedd & Jane Glassmeyer filed on August 25, 2004 for variations of Sections 362 and 363 of the Darien Zoning Regulations to allow the construction of a stonewall and fence. Section 362: 6.0 in lieu of 4.0 feet maximum height of fence in the required 40 foot minimum front yard; and Section 363: 8.5 in lieu of 3.0 feet maximum height of wall/fence above the road surface within 30 feet of the intersecting street lines of Old Kings Highway South and McCrea Lane. The property is situated at the northeast corner formed by the intersection of Old Kings Highway South and McCrea Lane and is shown on Tax Assessor's Map #49 as Lot #26, being 2 McCrea Lane and located in an R-1/2 (residential) Zone.

CALENDAR NO. 66-2004

The application of Michael & Cynthia Grant filed on August 25, 2004 for a variation of Section 406 of the Darien Zoning Regulations to allow the alteration of a one story garage. Section 406: 4.3 in lieu of 25.0 feet minimum required side yard setback. The property is situated on the east side of Circle Road approximately 450 feet south of the intersection of Circle Road and Old Kings Highway North and is shown on Tax Assessor's Map #33 as Lot #47, being 8 Circle Road and located in an R-1 R-1/2 (residential) Zone.

CALENDAR NO. 67-2004

The application of Edward C. Holcomb & Heather A. Winters filed on August 25, 2004 for a variations of Sections 416 and 825d6 of the Darien Zoning Regulations to allow the alteration of the existing one story garage and the construction of a one story entry hallway addition. Section 416: 9.0 in lieu of 25.0 feet minimum required rear yard setback for the garage alteration; and Section 826d6: construction of additional living space at 11.6 in lieu of 13.0 feet minimum required floor elevation. The property is situated at the northwest corner formed by the intersection of Baywater Drive and Waverly Road and is shown on Tax Assessor's Map # 55 as Lots #14 and 15, being 4 Waverly Road and located in a R-NBD (residential) Zone.

GENERAL MEETING

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their legal responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Discussion, deliberation and possible decisions for Public Hearing request items listed above.
2. Requested extension to obtain all required permits and begin on-site construction for ZBA Calendar No. 7-2004, Frank & Lois Zabrocky, 67 Hoyt Street. Initial ZBA approval expires on September 11, 2004.
3. Requested extension to June 30, 2005 to obtain all required permits and begin on-site construction for ZBA Calendar No. 37-2004, Jerry & Susan Elliott, 97 Five Mile River Road. Initial ZBA approval expires on December 10, 2004.
4. Requested amendment to the approved plans of Calendar No. 50-2004, Kathy & Rich Jarrett, 11 Clock's Lane.
5. Requested amendment to the approved plans of Calendar No. 15-2004, Paul & Sharon Longo, 17 William Street.

6. Election of Officers (by regular members). Current term of Chair and Vice-Chair extends to June 30, 2005.
7. Proposed 2005 Meeting Schedule
8. General discussion of Application Materials.
9. Any other business (requires 2/3 vote of members present and voting).